

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Commercial Taxes Department – Allegation of corruption against Sri M.K. Khursheed Ali, formerly Deputy Commercial Tax Officer, Ashok Nagar Circle, Hyderabad (now Retired) – Trapped on 16.10.1996 – Charge sheet filed – Convicted by the Hon'ble Court for SPE & ACB Cases, Hyderabad - Punishment of withholding of full pension and gratuity imposed – Criminal Appeal Filed - Criminal appeal disposed off by the Hon'ble Court in favour of Individual – Further action Dropped – Pensionary benefits released – Individual filed O.A. No.9415/2010 seeking direction to regularize the suspension period as duty and to pay and allowances, pensionary benefits with interest – Allowed – Orders – Issued.

REVENUE (VIG.I) DEPARTMENT

G.O. (Rt.) No. 468 .

Dt:20.04.2011.

Read the following:-

- 1) G.O. (Ms.) No.720, Revenue (Vig.I) Department, dt.25.06.2003.
- 2) Hon'ble High Court orders, dt.23.02.2010 in Crl. Appeal No.185 of 2002.
- 3) G.O. (Ms.) No.1329, Revenue (Vig.I) Deptt., dt.03.11.2010.
- 4) Hon'ble APAT Orders, dt.08.03.2011 in O.A. No.9415 of 2010.

ORDER:

In the reference 1st read above, orders were issued imposing a punishment of withholding of 100% pension and entire gratuity on Sri M.K. Khursheed Ali, formerly Deputy Commercial Tax Officer, Ashok Nagar Circle, under Rule 9 of A.P. Revised Pension Rules, 1980, as he was found guilty and convicted by the Hon'ble Principal Special Judge for SPE & ACB Cases, Hyderabad.

2) And whereas in the reference 2nd read above, the Hon'ble High Court of Andhra Pradesh have set-aside the punishment imposed by the Trial Court against Sri M.K. Khursheed Ali, Deputy Commercial Tax Officer (Retd.).

3) And whereas in the reference 3rd read above, orders were issued rescinding the punishment imposed in the reference first read above against Sri M.K. Khursheed Ali, Deputy Commercial Tax Officer (Retd.) and it was also ordered to release his pension and retirement benefits as per rules.

4) And whereas in the reference fourth read above, the Hon'ble A.P. Administrative Tribunal, while allowing the O.A. No.9415 of 2010 filed by Sri M.K. Khursheed Ali, Deputy Commercial Tax Officer (Retd.), directed the respondents to pay full pension and retirement benefits to the applicant with interest @ 9% per annum from the date of acquittal in the Criminal appeal till date of payment and also to pay the gratuity with interest as per the rates prescribed in the rules and also to regularize the suspension period as 'on duty' with full pay and allowances.

5) Government, after careful examination of the matter in detail, hereby decided to implement the orders in O.A.No.9415/2010, dt.08.03.2011 of A.P. Administrative Tribunal, Hyderabad in to-to.

6) Accordingly, Government hereby direct the Commissioner of Commercial Taxes, A.P., Hyderabad to pay pension to Sri M.K. Khursheed Ali, Deputy Commercial Tax Officer (Retd.) together with the interest @ 9% per annum from the date of his acquittal in Criminal Appeal i.e., from 23.02.2010 till the date of payment of the pension and also to pay gratuity along with interest i.e., 4.5% PA for the period beyond three months and up to 1 year and 5% per annum beyond one year after the gratuity becomes due and payable till the end of the month preceding the month in which the payment is actually made, as per the instructions issued in Circular Memo No.16077/135/A2/Pen.I/2004, Finance (Pen.I) Deptt., dt.20.02.2006.

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7) Government also regularize the suspension period ie., from 24.10.1996 (date of serving of suspension order) to 31.01.1998 (date of superannuation) in respect of Sri M.K.Khursheed Ali, Deputy Commercial Tax Officer (Retired), as on duty with full pay and allowances under FR 54-A(3).

8) The Commissioner of Commercial Taxes, AP., Hyderabad shall take necessary further action in the matter, accordingly.

9) This orders issues with the concurrence of Finance Department vide their U.O. No.8878/85/A1/Pen.I/11, dt.11.04.2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M.K. Khursheed Ali, Deputy Commercial Tax Officer (Retd.),
through the Commissioner of Commercial Taxes, A.P., Hyderabad.
The Commissioner of Commercial Taxes, A.P., Hyderabad.

Copy to:-

The Pay and Accounts Officer, Hyderabad.
The Director of Treasuries & Accounts, A.P., Hyderabad.
The Accountant General, A.P., Hyderabad.
File/SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER